

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	PRELIMINARY ORDER
)	OF FORFEITURE
vs.)	
)	
Michael Howard Reed,)	Case No. 4:09-cr-076
)	
Defendant.)	

WHEREAS, in the Indictment regarding the above case, the United States sought forfeiture of specific property of the above-captioned defendant, Michael Howard Reed, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), as property used or intended to be used in any manner or part to commit or to facilitate the commission of the violation in the Indictment;

As a result of the guilty verdict on January 28, 2010, to the Indictment, and the jury finding Michael Howard Reed guilty of the crime giving rise to the forfeiture of the property, and the defendant, Michael Howard Reed, agreeing to the forfeiture in open court, the defendant, Michael Howard Reed, shall forfeit to the United States of America all of his right, title and interest to said property;

It is **ORDERED, ADJUDGED** and **DECREED**:

1. That all of the defendant's right, title and interest in the following property is forfeited, that the United States is authorized to seize the following property at the time of sentencing, and it will be forfeited to the United States of America for disposition in accordance with the law, that being:

Desert Eagle, Model Baby Eagle, 9mm caliber pistol, serial no. 134524;
15 rounds of Remington 9mm caliber ammunition; and
10 rounds of E.L.D. brand 9mm caliber ammunition.

2. That all of the forfeited property is to be held by the Bureau of Alcohol, Tobacco, Firearms, and Explosives, in their custody and control.

3. That the United States of America shall post Notice of Forfeiture on the official government internet site (www.forfeiture.gov) for at least 30 consecutive days and notice that any person, other than the defendant, having or claiming a legal interest in the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

4. That upon adjudication of any and all third-party interests, this Court will enter a Final Order of Forfeiture in which all interests will be addressed.

IT IS SO ORDERED:

Dated this 11th day of February 2010.

/s/ Daniel L. Hovland
Daniel L. Hovland, District Judge
United States District Court